



06/23/98

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INTELLECTUAL PROPERTY LAW
(PATENT, BIOTECHNOLOGY, COMPUTER,
TRADEMARK & TRADE SECRET LAW)

Docket No.: D5716CIP2
Anticipated Classification of this application:
Class 514 Subclass
Prior application: 08/631,470
Examiner: Sayala, C
Art unit: 1302

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GROUP 1306

**ASSISTANT COMMISSIONER FOR PATENTS
BOX CPA
WASHINGTON, D.C. 20231**

CONTINUED PROSECUTION APPLICATION (CPA)

- I. This is a request for a filing under the continued prosecution application procedure, 37 CFR 1.53(d).
- A. A prior complete application Serial Number 08/631,470, was filed on 4/12/96.
- B. Under the title: "Method of Treating Auto-Immune Diseases Using Type One Interferons" (as filed originally).
- C. Name of applicants(s) (as originally filed and as last amended) and current correspondence address of applicant(s).

06/19/1998 TNGUYEN 00000096 08631470

01-FC:231
02-FC:202

395.00 OP
41.00 OP

1.	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
FULL NAME OF INVENTOR	/ Brod	/ Staley	/
RESIDENCE & CITIZENSHIP	CITY /Houston	STATE OR FOREIGN COUNTRY /Texas	COUNTRY OF CITIZENSHIP /United States of America
POST OFFICE ADDRESS	POST OFFICE ADDRESS 7015 Brook Run Ln	CITY /Houston	STATE & ZIP CODE/ COUNTRY Texas 77040 USA
2.	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
FULL NAME OF INVENTOR	/	/	/
RESIDENCE & CITIZENSHIP	CITY /	STATE OR FOREIGN COUNTRY /	COUNTRY OF CITIZENSHIP /
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/ COUNTRY

II. The above-identified application in which no payment of issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this request for a continued prosecution application. Please use all the contents of the prior application file jacket, including the drawings, as the basic papers for the continued prosecution application and assign the application number of the above-identified application to the continued prosecution application.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.53(d) application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

III. Declaration or Oath

A. Continuation: ☒ none required

IV. Identification of Claims for Further Prosecution

The fees to be charged are to be based on the number of claims remaining as a result of the:

- ☐ attached preliminary amendment.
- ☐ unentered amendment filed under 37 CFR 1.116 in the prior application, which is now repeated.
- ☒ claims as on file in the prior application.

V. Fee Calculation

CLAIMS FOR FEE CALCULATION				
	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$395
TOTAL CLAIMS	- 20		X \$11	\$
INDEPENDENT CLAIMS	- 04	-1	X \$41	\$41
MULTIPLE DEPENDENT CLAIM(S), IF ANY			X \$130	\$

FILING FEE CALCULATION \$436.00 _

VI. Small Entity Statement

- ☒ A small entity statement was filed in the parent Serial No. 08/631,470, filed on April 12, 1996 is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.

VII. Fee Payment Being Made at This Time: Attached

- ☒ Filing fee \$436
- ☐ Recording assignment (\$40.00; 37 CFR 1.21(h)).
- ☐ Processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(l))

TOTAL FILING FEES ENCLOSED \$436

VIII. Method of Payment of Fees

- ☒ Attached is a check in the amount of \$911 (filing fee + \$475 for three month extension)
- ☒ Please charge Account No. 07-1185 in the event the filing fee amount was calculated incorrectly. _____

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IX. Relate Back--35 U.S.C. 120

X Amend the specification by inserting: "This is a continued prosecution application of application Serial No. 08/631,470, filed on April 12, 1996, now abandoned, which was a continuation-in-part of application Serial number 08/408,271, filed March 24, 1995, now abandoned, which was a continuation-in-part of application Serial number 08/226,631, filed April 12, 1994, now abandoned."

X. Assignment

X The prior application is assigned of record to Research Development Foundation.

XI. Power of Attorney

X The power appears in the prior application.

X Address all future communications to:

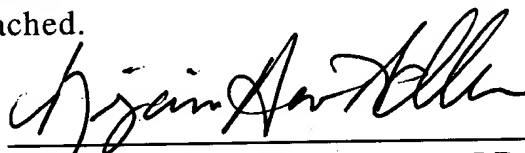
Benjamin Aaron Adler, Ph.D., J.D.
MCGREGOR & ADLER, LLP
8011 Candle Lane
Houston TX 77071
(713)777-2321

XII. Maintenance of Copendency of Prior Application

X A copy of the petition for extension of time in the prior application is attached.

Date:

June 17, 1998



Benjamin Aaron Adler, Ph.D., J.D.
Registration No. 35,423